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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**TECH CENTER 1600/2900**

**In re Application of:**

Herron et al.

**Serial No.:** 09/877,635

**Filed:** June 8, 2001

**For:** DIAGNOSTIC DEVICE AND METHOD

**Examiner:** G. Gabel

**Group Art Unit:** 1641

**Attorney Docket No.:** 3278.2US

**CERTIFICATE OF MAILING**

I hereby certify that this paper or fee along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail (under 37 C.F.R. § 1.8(a)) on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

November 19, 2002  
Date of Deposit

Signature of registered practitioner or other person having reasonable basis to expect mailing to occur on date of deposit shown pursuant to 37 C.F.R. § 1.8(a)(1)(ii)

Deidra Pfeil  
Typed/printed name of person whose signature is contained above

**RESPONSE TO RESTRICTION REQUIREMENT AND  
PRELIMINARY AMENDMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Amendment is in response to the Restriction Requirement which was mailed on August 19, 2002, the one-month shortened statutory period for response to which expired on September 19, 2002. Accordingly, this Amendment is being filed with a petition for a two-month extension of time and the appropriate fee.